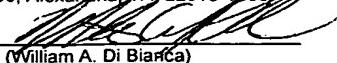


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 21, 2008 Signature: 
(William A. Di Bianca)

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PATENT & TRADEMARK OFFICE

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPC II CON I
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :
Errico et al. :
Application No.: 10/784,645 : Group Art Unit: 3738
Filed: February 23, 2004 : Examiner: B. E.
For: WEDGE PLATE INSERTER/IMPACTOR :
AND RELATED METHODS FOR USE :
INIMPLANTING ANARTIFICIAL :
INTERVERTEBRAL DISC :
Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Official Action mailed October 10, 2008, Applicants submit the following amendments and remarks.